

**PFE ORIGINAL**

VIA DHL

May 23, 2007

Ms. Joan Martin-Banks (3HS62)  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

*Re: Chem Fab Corporation Site, Doylestown, Bucks County, Pennsylvania*

Dear Ms. Martin-Banks:

I am in receipt of EPA's letter of April 19, 2007 requesting additional information with respect to Kodak's April 10, 2007, responses to Questions 2, 4, 5, 8, and 15 presented in EPA's February 28, 2007 Information Request. As a result of EPA's second request, we renewed our investigation of this matter.

In addition to our previous file search and interviews with current employees who were involved with the disposal practices at Kodak Rochester locations during the relevant time period, we requested further searches for information and verification of information reported in my response of April 10, 2007. We were able to identify additional employees, conduct interviews with them, and use the information they provided to supplement our previous response in the attached answers.

**Background on Kodak's Photographic Resist Business**

Kodak manufactured several photographic resist products (including the two identified in your investigation) at Kodak Park in Rochester New York, primarily during the 1970's and 1980's. The "Kodak Photo Resist Type 3" product (5-gallon can) was marketed to numerous customers throughout the United States. The "Kodak Micro Resist 752" product (55-gallon drum) was sold only to IBM.

After receiving your description of the Chem Fab business operations (metal etching), we would expect that Chem Fab was likely to have been a customer of Kodak. They appear to have been in the business of manufacturing products that would require the utilization of our Kodak Photo Resist Type 3 product or a similar product of a competitor. Because of this, we checked our purchasing records to see if Chem Fab was identified in our records as a customer of Kodak. Unfortunately, Kodak's purchasing records have been retained for only seven years. Therefore, although Chem Fab may have been a customer we have no records from the time frame in question.

In addition, we reviewed the analytical information that you obtained from the 5- gallon can and 55-gallon drum in question. While the information is very limited, the material in the can and drum may be the original Kodak products. Kodak "resists" were amber-brown, organic liquids that could become further darkened over time.

The following is being provided in response to the specific questions regarding which you have requested additional information:

**Question 2:** During the time period in question, Kodak Park was one of the largest manufacturing sites in the northeastern United States. Photographic films, papers, and chemicals were the main products manufactured. During the period from 1965 to 1999 Kodak generated thousands of tons of different types of wastes at its operations at Kodak Park. Kodak could not provide the information requested because in most cases, records that would document such information during the period from 1965 to the advent of RCRA were never created in the first place or those that were generated would have been disposed of due to Kodak's record retention policy. However, all available information confirms that Kodak maintained a policy/philosophy of being self-sufficient in the areas of waste treatment and material recycling. During the period in question Kodak had the capability to recycle millions of pounds of solvents annually at Kodak Park and devoted significant effort to minimize, to the extent possible, the volume of wastes sent offsite from Kodak Park. For example, in 2000, Kodak Park recycled millions of pounds of solvent and treated approximately 70 million pounds of waste at the Building 218 Incinerator.

- a. Since 1992 Kodak has maintained a waste characterization database in which are recorded the point of generation profiles for all solid wastes generated at Kodak Park, as required by the compliance schedule incorporated into the Consent Decree entered in the Matter of United States v. Eastman Kodak Company (Civil Action No. 94-CV-6503T ). The profiles for individual point of generation waste streams generated during the time period until 1999 numbered in excess of 20,000 and were shared with EPA representatives in the context of Kodak's reporting under the terms of the Consent Decree. These documents are not readily accessible at this time and would be too voluminous to be of any value to this inquiry.

Further, for shipment off-site, point of generation profiles were aggregated into solid waste profiles in the Solid Waste Information Management System ("SWIMS") database. This database housed information regarding more than 1800 waste streams that were generated on an on-going basis and in excess of 700 "one time" disposals per year.

All wastes generated during the time period subsequent to 1978 were managed in accordance with RCRA and any hazardous materials shipped off-site were identified in RCRA waste manifests submitted to the regulatory agencies. Kodak retained manifests for three years as required by RCRA regulations and does not have copies of manifests during the time period in question.

- b. We do not have information detailing the actual volume of waste generated during the years in question. However, to demonstrate the volumes described above, we have

enclosed (Attachment 2b) a printout of the waste volumes treated at the Kodak Park B-218 Chemical waste Incinerator during the years 2000 to 2003.

- c. See (a) above.
- d. Kodak used an unlimited variety of containers to manage wastes disposed in our on-site waste management units and authorized DOT containers to manage wastes shipped off-site. However, Kodak did not ship wastes in containers that were labeled for the shipment of Kodak products.
- e. See (a) above.

**Question 4:** Throughout most of the period in question Kodak operated an on-site landfill primarily for the management of inorganic materials, construction rubble and debris. The landfill was not used or permitted under RCRA for the management of hazardous waste and was closed in 1998 pursuant to the terms of a Consent Order with the NYSDEC.

Incineration was the primary method of treatment/disposal of waste materials at Kodak Park. During the relevant time period, it was the practice of Kodak to manage its industrial wastes, including flammable liquid wastes, onsite at Kodak Park. The Kodak Park Building 138 incinerator was constructed in 1950 and commenced operation in 1951. The Building 138 incinerator functioned in two combustion stages, the first for the combustion of general refuse, and the second to burn liquids or certain high BTU solids. It continued operation until 1975 when the Building 218 hazardous waste incinerator came on line. Also during the period in question, until approximately 1993, Kodak operated a refuse-derived fuel boiler for the management of solid waste at Building 145 in Kodak Park and the Building 202 incinerator that was utilized to treat film and paper wastes in order to recover the silver content in the ash.

Kodak Park had substantial incineration capability and its policy was to manage all wastes onsite. There was no incentive to send wastes offsite for disposal (especially waste resists (flammable liquids) that were readily treatable at the incinerators at Kodak Park). In fact, high BTU, flammable liquid wastes were utilized as the primary fuels in our hazardous waste incinerators thus reducing Kodak's dependency on burning fuel oil as a heat source. Generally speaking, the only exception to Kodak's practice of disposing liquid wastes by incineration on-site, was the disposal of PCBs. Kodak incinerators were never permitted to treat PCBs. Employees, both current and former, also recall some oils were shipped to Rollins, Inc. in Bridgeport, New Jersey during the period 1972-1975. New Era Oil Service Inc. and Northeast Oil Service were also used in the late 1970's.

Kodak has no records or information suggesting any waste shipments being sent to Chem Fab.

For the period from the inception of the RCRA program until the present, any hazardous materials/waste that were shipped offsite would have been clearly marked and labeled as such and shipped to a permitted TSD facility using a hazardous waste manifest to ensure cradle to

PFE ORIGINAL

grave management. Kodak retained manifests for three years as required by RCRA regulations and does not have copies of manifests during the time period in question.

We also have reviewed our SARA Title III- 313 Reporting records. Due to Kodak's record retention policy, we found information for only a few of the years that are covered under this investigation. We checked the "Off Site Transfer" portion of the SARA reports for reporting years 1995, 1996, 1997, 1998, and 1999 and found no reference of Chem Fab as an offsite transfer destination.

**Question 5:** Purchase Orders and not formal contracts would have been used to arrange for transporting and/or the disposal of wastes by haulers or transporters. Since 1978, haulers or transporters of hazardous materials would have been identified on hazardous waste manifests; however Kodak does not have copies of manifests during the time period in question. Personnel have identified the following as transporters that were used by Kodak during the period in question:

1. Buffalo Fuel
2. Chemical Waste Management
3. Haz Mat Environmental Group
4. Tonawanda Tank

**Question 8:** The current employees most knowledgeable about waste disposal practices in the period in questions are:

- Joan Berner; Unit Director Kodak Rochester HSE
- Kevin Churchill; Utilities technical support Kodak Rochester Facilities
- Judy Ciulis; Environmental Scientist, central services, Kodak Rochester HSE
- Joe Gabriel; President NPEC
- Bryan Gallagher; HSE advisor, Kodak Rochester HSE
- Sam Gallina; purchasing, Kodak Rochester
- Paul Lytle; Environmental Scientist, Kodak Rochester HSE
- David Rice; Environmental Scientist, waste group Kodak Rochester HSE
- John Williams; Director, Kodak HSE

Retirees:

- William Franklin; former Environmental Scientist, 1967-2007  
[REDACTED]
- George Thomas, former Environmental Engineer, 1973-2006;  
[REDACTED]
- John A. Wilson; Environmental Scientist/Engineer, 1969-2003  
[REDACTED]

Remove  
DOB,  
Addresses  
& phone  
numbers

- Dennis Zink; former purchasing agent, 1966-1999



Remove  
A- DOB,  
+  
Phone  
numbers

**Question 15:** Retirees: (See #8 above).

**Additional information with respect to original Question 6:**

During our efforts to prepare a response to your follow-up request, we additionally identified two documents that constitute Kodak's responses to information requests from EPA with respect to other Superfund sites and confirm that we have no documentation regarding Kodak involvement with De Rewal, Revere Chemical Co, or Echo, Inc. These documents are enclosed as exhibits to Question 6.

If you have any questions or need further information, please contact me at (585) 781-5534.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jo Ann E. Gould".

Jo Ann E. Gould

JEG:mag  
Enclosures  
(CHEM FAB 2<sup>ND</sup> RESPONSE)

# Waste Incinerated at B-218 Hazardous Waste Incinerator Kodak Park

PFE ORIGINAL

| Year       | Haz/Non | Liquid=T06<br>Solid=T07 | LBS      | Percent | Total Year Lbs |
|------------|---------|-------------------------|----------|---------|----------------|
| 2000 H     |         | T06                     | 56067972 | 81      |                |
| 2000 H     |         | T07                     | 1974193  | 3       |                |
| 2000 N     |         | T06                     | 7844538  | 11      |                |
| 2000 N     |         | T07                     | 3459548  | 5       |                |
| 2000 Total |         |                         |          |         | 69346251       |
| 2001 H     |         | T06                     | 45428418 | 77      |                |
| 2001 H     |         | T07                     | 1736049  | 3       |                |
| 2001 N     |         | T06                     | 8416950  | 14      |                |
| 2001 N     |         | T07                     | 3160885  | 5       |                |
| 2001 Total |         |                         |          |         | 58742302       |
| 2002 H     |         | T06                     | 53726529 | 81      |                |
| 2002 H     |         | T07                     | 1701750  | 3       |                |
| 2002 N     |         | T06                     | 7663779  | 12      |                |
| 2002 N     |         | T07                     | 2871613  | 4       |                |
| 2002 Total |         |                         |          |         | 65963671       |
| 2003 H     |         | T06                     | 42425240 | 79      |                |
| 2003 H     |         | T07                     | 1514954  | 3       |                |
| 2003 N     |         | T06                     | 7138754  | 13      |                |
| 2003 N     |         | T07                     | 2897614  | 5       |                |
| 2003 Total |         |                         |          |         | 53976562       |

T06 = Burned as a liquid

T07 = Burned as a solid

PFE ORIGINAL

February 20, 1987

Ms. Humane Zia  
U.S. Environmental Protection Agency, Region III  
CERCLA Remedial Enforcement Section (3HW12)  
841 Chestnut Building, 6th Floor  
Philadelphia, PA 19107

Re: Revere Chemical Site, PA

Dear Ms. Zia:

In response to your letter dated January 30, 1987 requesting information under the authority of Section 3007(a) of the Resource Conservation and Recovery Act and Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, the following is provided.

We have conducted a reasonably diligent search at Eastman Kodak Company for information concerning possible waste management business dealings by Eastman Kodak Company with Revere Chemical Co. (or Echo, Inc.) based in Pennsylvania. As a result of this effort, we are unable to find any records or information concerning the transportation to, storage, treatment or disposal of CERCLA hazardous substances at the Revere Chemical site. If you have information regarding any Kodak involvement with Revere or Echo, however, we will be happy to reconsider the matter in greater detail.

Future correspondence regarding this matter should be directed to me at the below address.

Yours very truly,

Torger N. Dahl

TND:vjs

Response to #6

WHITEMAN OSTERMAN & HANNA

File - De Rewal  
ORIGINAL

MICHAEL WHITEMAN  
MELVIN H. OSTERMAN, JR.  
JOHN HANNA, JR.  
JOEL L. HODES  
PHILIP H. GITLEN  
SCOTT N. FEIN  
ALICE J. KRYZAN  
DANIEL A. RUZOW  
PHILIP H. DIXON  
KEVIN M. YOUNG  
GÜNTER DULLY  
JAMES W. LYTLE

ATTORNEYS AT LAW  
ONE COMMERCE PLAZA  
ALBANY, NEW YORK 12260  
(518) 449-7600  
TELECOPY (518) 449-3345  
CABLE ADVOCATE ALBANY

MARY JANE BENDON COUCH  
JEAN F. GERBINI  
JOHN T. KOLAGA  
JONATHAN WOOD  
TERRESA M. BAKNER  
LAURENCE DEUTSCH  
JUSTIN R. MURPHY  
CARLA E. HOGAN  
JOHN P. STOCKLI, JR.

BUFFALO OFFICE

THE QUARANTY BUILDING  
28 CHURCH STREET  
BUFFALO, NEW YORK 14202  
(716) 854-4420  
TELECOPY (716) 854-4428

MARGARET J. GILLIS  
NEIL L. LEVINE  
KATHARINE K. DECKER  
JONATHAN P. NYE  
HEATHER D. DIDDEL  
DONALD S. STEFANSKI  
KENNETH S. RITZENBERG

September 7, 1989

Ms. Joyce Harney  
New Jersey Compliance Branch  
United States Environmental Protection  
Agency -- Region II, Room 747  
26 Federal Plaza  
New York, New York 10278

Re: Request For Information -- De Rewal Site  
Frenchtown, Hunterdon County, New Jersey

Dear Ms. Harney:

We represent Eastman Kodak Company ("Kodak") which has referred to us for reply Steven D. Luftig's June 1, 1989 letter to Torger N. Dahl, Esq. of Kodak's Legal Department requesting certain information pursuant to §104(b) and 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA") and §3007(a) of the Resource Conservation and Recovery Act ("RCRA") regarding the De Rewal Chemical Company Site ("De Rewal Site"). By telephone conversation between Robert Carr, Esq. and LuAnne Cenci, a Kodak Legal Assistant, Kodak's time within which to respond to the Request For Information was extended to September 7, 1989.

Kodak is a New Jersey corporation whose President is Mr. Kay R. Whitmore. Mr. Whitmore maintains his principal place of business at 343 State Street, Rochester, New York 14650. Based upon Kodak's review of records and inquiry of appropriate Kodak employees, Kodak does not believe that it transported, arranged for transportation, disposed of or arranged for disposal of any hazardous waste, hazardous substance or any other material at the De Rewal Site.

Response to #6

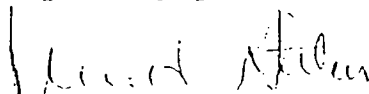


PFE ORIGINAL

In addition, Kodak does not believe it has ever transported, arranged for transportation, disposed of or arranged for disposal of hazardous waste, hazardous substances or any other material at Sylvan Chemical Company. Kodak records do show, however, that in 1969 and 1973 Sylvan Chemical Company of Inman, South Carolina, purchased products from Kodak. Kodak's records management policy requires, however, that records of such purchases from Kodak be destroyed after seven years and, accordingly, Kodak cannot provide any further information respecting the exact nature of Kodak products purchased by Sylvan Chemical Company of Inman, South Carolina in 1969 or 1973.

If you have any questions or concerns respecting the scope or content of this response to the Request For Information, please let me know.

Very truly yours,

  
Philip H. Gitlen

cc: Robert Carr, Esq.  
Assistant Regional Counsel  
Office of Regional Counsel  
United States Environmental Protection  
Agency -- Region II -- Room 309  
26 Federal Plaza  
New York, New York 10278

*cc: Roger Aehl, Esq.*